

## COMMENTS FOR REGIONAL WATER BOARD PUBLIC WORKSHOPS ON THE DEVELOPMENT OF A LONG-TERM IRRIGATED LANDS REGULATORY PROGRAM

The citrus industry is concerned about protecting the quality of the regions water and has been actively engaged as an industry in implementing cultural practices that minimize potential for off site movement of water and contaminates. Partly out of being good stewards of our natural resources, but also for economic reasons.

Over the past 10 to 15 years the cost of water, herbicide, fertilizer, labor and other cultural inputs has continually increased. Recent International Trade Commission reports have determined that while production costs are determined locally prices are determined globally. Unfortunately, as a producer of food, I do not have the ability to raise the price of my product to cover higher production costs and while prices have increased in recent years these increases have not kept pace with the increased cost of production and regulatory compliance. In order to remain profitable growers must become much more judicious and efficient in how they utilize all of these inputs.

It is estimated that over ninety percent of the citrus acreage utilizes some form of micro irrigation system, either drip or micro sprinklers, which apply water directly to the root zone, slowly over an extended periods of time. This assures that the water is absorbed into the root zone and does not run off before it can be utilized by the tree. Given the precision and uniformity of delivery system it allows for the application of volumes of water that closely approximate the consumptive use of our trees, thus also minimizing the over application of water which may otherwise move past the root zone and potentially into our groundwater.

Approximately 80 to 85 percent of all nitrogen fertilizer applied to citrus orchards is now being applied through the irrigation system or as a foliar spray. Research has shown that multiple applications of lower rates of nitrogen are more effective than a single application at a high rate. Applying fertilizer at lower rates through the irrigation system puts the fertilizer directly in the root zone. Since the soil is not being super saturated with water or fertilizer, leaching out of the root zone is minimized if not eliminated. The current micro irrigation systems used in citrus make these multiple applications practical, economical, efficient and environmentally friendly.

Over half of the citrus acreage (131,000 acres) is located within designated Groundwater Protection Areas regulated by DPR and the county Ag commissioners. Within these areas growers are required to submit a mitigation plan before receiving their pesticide use permit. These regulations went into affect in 2004. Growers in these areas are already being regulated by DPR specifically as it relates to the potential to contaminate groundwater with pesticides and herbicides and have the double burden of complying with the 2006 Conditional Waiver requirements. These growers do not need nor can they afford additional duplicative regulations.

The citrus industry is in the process of developing, in conjunction with the University of California, a comprehensive set of Best Management Practices that is a consolidation of plans developed by USDA, California Research Board, and Sunkist. This plan is being developed to address environmental, food safety and urban interface issues that the citrus industry is facing in

the 21<sup>st</sup> century. This is a living document that will be adapted to changing needs. This would seem to be the logically place to address the Regional Board's concerns as they relate to the citrus industry.

As the Regional Board works toward the development of a long-term ILRP, the citrus industry wants to be at the table. If a problem is identified we want to help find a solution. We believe that as an industry that is concentrated in a relative finite area we can work with the Regional Board to develop practices that meet our collective goal for clean water and which comply with state and federal law without additional burdensome regulations.

A long-term irrigated lands plan for the Central Valley must recognize that the diversity of slopes, soil types, water sources, cropping systems, water uses, irrigation methods, management practices and the impact of urbanization make a one-size-fits-all approach impossible. The citrus industry is vitally concerned with preserving the integrity of California's water ways. We do not favor a top down regulatory approach to meeting the requirements outlined in this scoping document. We are willing, to come along side and work with the Regional Board in identifying potential problems specific to the citrus growing areas and then working to mitigate those problems directly related to citrus.

California is a state blessed with an abundance of natural resources and cursed with unique environmental challenges. It is good that as a state we do everything possible to address the challenges in order to preserve our resources. However, the current system of multiple boards and agencies imposing regulations and fees independently has created a silo affect that is crushing the states agricultural economy. The California Institute for the Study of Specialty Crops – Cal Poly San Luis Obispo compared California's cost of regulation to other states. They compared citrus in California and Texas and found that California citrus grower's regulatory costs amounted to \$346.12 for each acre of citrus produced. This added 17.85% to the cost of raising oranges in California. On the Texas citrus operation the regulatory costs were calculated to be \$31.71 per acre; \$315 per acre lower than California. Thus the regulatory costs borne by the citrus industry vis-à-vis their Texas counterpart is in excess of \$85 million. We hope that before the Regional Board initiates additional regulations or fees on the citrus industry it would do the research to identify that a problem related to citrus production does exist and further that it can only be addressed by further regulation and added cost to the producer. It is our position, that additional regulation and fees are not the answer.

The Regional Board should be aware that all of agriculture including the citrus industry is already being regulated by the California Department of Pesticide Regulation with regard to use of pesticides and herbicides with specific regulation aimed at protecting surface water and groundwater from contamination. Specifically, in 2004 regulations went into affect establishing one square mile Groundwater Protection Areas. These areas were established based on specified soil types and depth to groundwater and were designated as at risk either from leaching or from runoff. Estimates are that 250,000 acres are affected by runoff mitigation and another 175,000 acres are affected by leaching mitigation. Cal EPA's economic impact analysis determined that although runoff and leaching acreage will occur on less than 6% of the irrigated acreage, the costs will be incurred on 71% of the citrus acreage. Of the estimated 425,600 acres impacted statewide, 131,000 acres is citrus. Tulare County has 600 GWPA's totaling 384,000 acres out of

425,600 acres. Growers in these areas are required to adopt a mitigation plan that must be filed with the County Ag Commissioner when obtaining their pesticide use permit. Well head protection is another one of the requirements.

As the Regional Board moves forward in the development of the ILRP we urge a targeted approach rather than a one-size-fits-all approach. The program should not duplicate, compound or conflict with regulations, such as the GWPAs, already in place under the authority of other State agencies. Speaking for the citrus industry, we hope that this body will take advantage of the historical knowledge, scientific data base, research capabilities and organizational contribution of CCM as it develops the ILRP for citrus growing areas. Our industry has an established track record of working with local, State and Federal agencies to effectively solve problems.